



PRESS RELEASE

AG Frosh Statement on Daily Fantasy Sports

Baltimore, MD (January 15, 2016) -- Maryland Attorney General Brian E. Frosh issued the following statement regarding Daily Fantasy Sports in Maryland:

"The Office of the Attorney General was asked to provide advice on whether the General Assembly's 2012 exemption of fantasy sports from criminal prohibitions on gambling should have been subject to voter referendum because it is an expansion of commercial gaming in Maryland.

The question triggers a complicated analysis of the nature and scope of gambling exemptions contained in the Maryland Constitution; the differences between Traditional Fantasy Sports and Daily Fantasy Sports and their evolution over time; and definitions of gambling and commercial gaming that are not found in Maryland law or court precedent.

We have ultimately concluded that the 2012 law should have been the subject of a referendum, but acknowledge that there are legitimate counter-arguments and that it is unclear how a court would rule if asked to address the matter. As such, we believe that the General Assembly should take up this issue to make legislative intentions known and to clear up ambiguity."

[The advice letter can be found here.](#)